IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.36926 of 2008
SUDHIR PRASAD, SON OF SRI GOPAL PRASAD SINGH, RESIDENT OF VILLAGE-JAHANCHAK, P.S. ENANGAR SARAI DIST.-NALANDA……..PETITIONER.
Versus
STATE OF BIHAR……OPPOSITE PARTY.
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2. 24.11.08. Heard learned counsel for the petitioner, State and the complainant.

The petitioner apprehends his arrest in connection with Ekangarsarai P.S. Case No. 247/2007 for offence under Section 341, 323, 406, 420, 467 and 379/34 of the Indian Penal Code.

The allegation is that the petitioner purchased a vehicle from the complainant for a sum of Rs. 1,50,000/- (one lac fifty thousand). Out of the said amount Rs. 1,15,000/- (one lac fifteen thousand) was paid to the complainant. For the balance amount, two cheques were given to the complainant which were alleged to have been bounced .

Learned counsel for the petitioner submits that the complainant did not give ' No objection Certificate' to the bank. Since the vehicle in question was purchased with the assistance of the Bank loan and as such, on account of that petitioner could not get the vehicle registered in his name.

Learned counsel for the complainant submits that the petitioner did not pay the balance amount of Rs. 35,000/- (thirty five thousand). However, in the court below he filed an affidavit stating the fact that he has paid the full amount.

Learned counsel for the complainant further submits that the

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amount which he has received i.e. Rs. 1,15,000/- (one lac fifteen thousand) from the petitioner was deposited in the Bank in his loan account.

Considering the facts and circumstances of the case and on perusal of the allegations levelled in the complaint petition, it is directed that in the event of arrest or surrender within a period of four weeks from today, the petitioner namely, Sudhir Prasad, shall be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the A.C.J.M., Hilsa, Nalanda in connection with Ekangarsarai P.S. Case No. 247/2007, subject to the conditions as laid down under Sub Section 2 of Section 438 of Code of Criminal Procedure.

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m.p. **(Shailesh Kumar Sinha, J.)**